IN THE MATTER AND IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of Hearing of Submissions and Further Submissions on the Proposed Gore District Plan

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Gore District Plan - Decisions on Submissions

Topic 3: Introduction and General Provisions

Hearings Panel Members

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Glenys Dickson

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Date of Hearing
5 June 2024

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1 Introduction

1.1 Scope of this Decision

1.1.1 This document details the evaluation and decisions of the Panel on the submissions and evidence considered in relation to the Introduction and General Provisions of the Proposed District Plan, excluding the Tangata Whenua / Mana Whenua Chapter. The Hearings Commissioners comprising the Panel for this hearing were Commissioners Keith Hovell, Maria Bartlett, Cliff Bolger and Glenys Dickson.

1.1.2 This Decision focuses on the key issues in contention. Where there is no contention, such as submitter support for certain provisions, or minor matters where proposed changes are recommended in response to submissions, the Panel has adopted the recommendations and the underlying evaluation contained in the s42A Report prepared by Matt Heale.

1.1.3 Attached is the updated provisions for the Introduction and General Provisions, referencing changes authorised by this and other Decisions of the Panel. Changes made in response to submissions are shown in normal black font, with text either underlined for additions or as ~~strikethrough~~ for deletions. A reference is also provided of the decision and paragraph number giving rise to the changes in response to submissions.

1.1.4 The Introduction to the Plan contains a list of contents, the purpose of the Plan and a brief description of the Gore District. This is followed by a guide of how to use the Plan, including the statutory context, the structure of the Plan and the link between the different layers of information shown on the Plan Maps. Chapters are for information purposes and have no regulatory effect. The Panel has taken the opportunity to redraft portions of these chapters where it considers appropriate to add clarity or correct errors or omissions. This includes deletion of provisions relevant at the time of notification but are no longer required. These minor changes are made pursuant to clause 16(2) of the First Schedule of the RMA and are shown in the updated District Plan chapters in a green font.

1.1.5 Appendix A lists the submissions considered in this decision and their outcome, described as accepted, accepted in part or rejected. For convenience, the Panel has chosen to make decisions on original submissions only. By implication, but not explicitly, it has also made decisions in relation to further submissions..

1.1.6 Attention is also drawn to Decision 2, Whole of Plan and Repeated Submissions that responds to submissions lodged to the District Plan as a whole, together with those lodged to multiple zones and/or chapters in the PDP. In some cases, these submissions may result in amendments to introductory chapters as well. Any such changes are annotated as a footnote in the updated provisions.

1.2 Abbreviations

1.2.1 In preparing this decision we have used the following abbreviations:

Full Text	Abbreviation
Clause 16(2) of the First Schedule of the RMA	cl 16(2)
003 Fire and Emergency NZ	FENZ
Gore District Plan	Plan

Hearings Panel	Panel
Hokonui Rūnanga Incorporated	Hokonui Rūnanga
NZ Transport Agency Waka Kotahi	NZTA
Proposed Gore District Plan	Proposed Plan or PDP
Report prepared under section 42A of the RMA	s42A Report
Resource Management Act 1991	RMA
RMA section	s
Southland Federated Farmers NZ	Federated Farmers
Transpower NZ Ltd	Transpower

1.3 Statutory Considerations

1.3.1 The Panel's Decision1 Preliminary Matters and Statutory Requirements Relevant to Decisions sets out the legal framework and requirements for preparing a District Plan, as well as case law referred to in legal submissions and evidence provided to the Panel. This framework is not repeated in this Decision. Rather, this Decision should be read in conjunction with Decision1.

1.3.2 In s42A reports to the Panel, the authors are required to consider any alternative provisions put forward in the context of s32, and when changes are recommended, a further assessment under s32AA is provided if the change is a material departure from what was notified. That same obligation to make a further assessment under s32AA also applies to the Panel if it decides to make changes to the Plan in response to submissions which materially depart from the notified version.

1.3.3 Through Minute 5, the Panel requested submitters seeking changes to District Plan provisions to have regard to the s32 provisions and provide material to the Panel that would facilitate any additional s32AA assessment required if it was of a mind to accept the changes they sought.

1.3.4 Where the Panel has made amendments to the Proposed Plan that are consistent with the recommendations contained within the s42A Reports and associated evidence the Panel has adopted the s32AA analysis contained within those reports and evidence, unless expressly stated otherwise. Those reports are part of the public record and are available on the Council's website.

1.3.5 Where the Panel has made amendments to the Proposed Plan that are not contained within the s42A Report, or which were not subject to a s32AA assessment provided by submitters, the Panel has undertaken the required s32AA analysis and has incorporated it into the body of the decision, with the required assessment forming part of the evaluation. The Panel is satisfied that the required substantive assessment has been undertaken where required.

1.4 Procedural matters

1.4.1 There were no pre-hearing meetings or meetings undertaken in accordance with clause 8AA of Schedule 1, on the submissions relating to the matters contained in this decision.

1.4.2 None of the Panel members identified any conflicts of interest.

1.4.3 No procedural matters were raised at the hearing.

1.4.4 No matters of trade competition were raised.

2 The Hearing

2.1 Introduction and General Provisions

2.1.1 The hearing in relation to the Introduction and General Provisions of the Proposed District Plan was held on 5 June 2024 at the Gore District Council administration building, in Gore. That hearing also considered submissions to the Strategic Direction of the Plan, including the Urban Form and Development chapter.

2.1.2 At the commencement of the hearing, the Panel received supplementary evidence from Matt Heale responding to matters raised in the evidence and additional information received by the Panel. The Panel then sought clarification from Matt Heale with regard to matters contained in his s42A Report and supplementary evidence.

2.1.3 Shelley Chadwick, Counsel for the Gore District Council, also presented legal submissions to the Panel. These generally dealt with matters contained in Decision 1 Statutory Overview.

2.1.4 Submitters who appeared at the hearing are shown in Table 1.

Table 1: Hearing Stream 1 – Submitters Attending the Hearing

No.	Submitter	Attendees	Appearance
S101 FS30	Transpower NZ Ltd	Ainsley McLeod John Sutherland	Video Link Video Link
S74	Hamish Weir	Self	In person
S126	Southland Federated Farmers NZ	Bernadette Hunt Rachel Thomas	In person Video Link
S3	Stoney Creek Station	Brett Highsted Annette Tulloch	In Person In Person
S128	Greenbriar Ltd	Bridget Irving Megan Justice	Video Link Video Link
S139	Hokonui Rūnanga	Joshua Leckie Dr Lynda Murchison	Video Link Video Link
S66	Groundswell	Laurie Paterson Russell Faulkner Diane Smillie	In Person In Person In Person
S85	Environment Southland	Marcus Roy	In Person

2.1.5 Submitters who submitted further information for the Panel to consider were:

- Chorus NZ Ltd (S35)
- Forty South (S33)
- One New Zealand Group Ltd (S32)
- Connexa Ltd (S37)
- Spark New Zealand Trading Ltd (S154)
- New Zealand Transport Agency (S112)
- New Zealand Defence Force (S147)
- Alliance Group (S121)
- KiwiRail Holdings (S132)
- Kāinga Ora (FS28)

2.1.6 During the Hearing, Ainsley McLeod, appearing on behalf of Transpower Ltd, provided an oral response to matters contained in the supplementary evidence of Matt Heale. She also requested the opportunity to give further consideration to the supplementary evidence and provide a written response. This was agreed to by the Panel and a further statement of evidence was received, dated 14 June 2024.

2.1.7 Similarly, Marcus Roy, representing Environment Southland, in reply to questions from the Panel, requested the opportunity to provide additional comment on the wording of an additional Objective on the UFD chapter. This was also agreed to by the Hearing Panel and was provided by way of an email dated 18 June 2024.

2.1.8 Following the hearing, the Panel issued Minute 9 seeking a response from Matt Heale and Shelley Chadwick on various matters. Responses from each was received in documents dated 27 June.

2.1.9 All written material received by the Panel is available on the Council's web site.

3 Introduction and General Provisions

3.1 Introduction

Submitter (S)	Decision Requested
S128.001 Greenbriar Ltd.	Support Purpose
S121.003 Alliance Group Limited	Introduction –Retain as notified
S146.002 Southland District Council	Introduction – Support
S40.001 Silver Fern Farms	Introduction – Retain as notified

3.1.1 These submissions support all or parts of the Introduction to the PDP and do not request any amendments. As changes have been made to the text as a consequence of other submissions lodged, these submissions are accepted in part.

Submitter (S) Further Submitter (FS)	Decision Requested
S128.002 Greenbriar Ltd.	Amend Description of the District to read: The dominant land use in the district relates to agriculture. There are several large agribusinesses in the district as well as many small businesses supporting the rural sector. <u>The ongoing success of the agricultural sector needs to be supported by other industries such as mining, quarrying and provision of resilient infrastructure.</u> …
S126.001 Federated Farmers S115.002 Kevin Robertson S60.004 Ronald Crispin S143.013 Rural Ratepayers Group S148.014 A&B Hunt S68.122 John Baynes	Amend description of the district: The dominant land use in the district relates to agriculture<u>, and agriculture is the backbone of the district's economy.</u>
FS9.2, FS9.3, FS9.4, FS9.5, FS9.6, FS9.7 Royal Forest and Bird Society of New Zealand Incorporated	Reject S126.001, S115.002, S60.004, S143.013, S148.014, S68.122

3.1.2 The Panel agrees with the assessment of Matt Heale at paragraphs 204 and 205 of his s42A Report where he notes this section of the PDP is intended to describe the physical characteristics of the Gore District rather than providing emphasis or importance to one or more activities. The Panel also notes neither Greenbriar nor Federated Farmers referred to these submissions in any presentation to the Panel.

3.1.3 Accordingly, Submissions S128.002, S126.001, S115.002, S60.004, S143.013, S148.014, S68.122 are rejected. However, submitters should note that the role of primary production is considered further in Decision 4 with regard to submission S128.008 Greenbriar Ltd. In addition, the Panel has made minor text changes to the Introduction under cl 16(2).

3.2 How the Plan Works

Submitter (S)	Decision Requested
S121.004 Alliance Group Ltd S146.003 Southland District Council S40.002 Silver Fern Farms	Retain as notified

3.2.1 The submissions in support are noted. Given changes made to this section of the Plan, these submissions are accepted in part.

Statutory Context

Submitter (S) Further Submitter (FS)	Decision Requested
S101.001 Transpower New Zealand Limited	The table 'Relationship with other Plans and Documents' fails to identify the NPSET and NESETA as being relevant. Revise: National Policy Statements: The District Plan must give effect to National Policy Statements, including the National Policy Statement on Electricity Transmission and National Environmental Standards: The District Plan must not duplicate, conflict with or otherwise be inconsistent with a National Environmental Standards, including the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009."
FS26.004 Mercury Ltd	*Allow S101.001 Transpower New Zealand Limited. The NPS-ET and NESETA are higher order planning instruments that impose a statutory requirement for the PDP to give effect to the NPS-ET and to not be inconsistent, duplicate or conflict with the NES-ETA.*

3.2.2 Matt Heale at paragraph 232 of his s42A Report agreed that Transpower had highlighted an omission in this part of the Plan, but rather than include the specific relief sought he considered a more general statement was appropriate given that the NPSET and NESETA were specifically referred to in the National Direction Instruments provisions of the PDP. Ainsley McLeod on behalf of Transpower in her written evidence supported the s42A Report recommendation and considered that the recommended amendment appropriately described the role of the higher order planning instruments. The Panel adopts the agreed wording recommended by Matt Heale.

3.2.3 Submission S101.001 Transpower New Zealand Limited is accepted in part by adding to the table under Relationship with other Plans and Documents:

National Policy Statements and National Environmental Standards	The District Plan must give effect to National Policy Statements and must not duplicate, conflict with or otherwise be inconsistent with a National Environmental Standard/Regulation. Refer to the National Planning Instruments chapter of the District Plan to understand how these are relevant to the Gore district.

Existing Use Rights

Submitter (S)	Decision Requested
S104.012 McLeod-Wantwood Trust Wantwood Station S105.012 Farm Manager - Wantwood Station S127.012 Peters Farm Ltd Karen Peters	Amend the "How the Plan Works" chapter to provide guidance regarding existing use rights.
S115.181 Kevin Robertson S126.180 Southland Federated Farmers of NZ S143.192 Rural Ratepayers Group S148.193 Alistair & Bernadette Hunt	The terms existing use rights or lawfully established should be used consistent throughout the Plan and be defined.

S60.183 Ronald Crispin S68.301 John Baynes	

3.2.4 The Panel accepts the advice of Matt Heale at paragraph 180 of his s42A Report that the manner in which "existing use rights" is described in How the Plan Works, and throughout the PDP is appropriate. The Panel also notes that Federated Farmers accepted the explanation given by Matt Heale in the report. Accordingly, these submissions are rejected.

General Approach – Plan Structure

Submitter (S) Further Submitter (FS)	Decision Requested
S101.002 Transpower New Zealand Limited	In Plan Structure Amend as follows: Part 2 - District Wide Matters 1. The strategic objectives address key strategic and/or significant matters for the District and provide District-wide strategic considerations to guide decision making at a strategic level. It is intended that all other objectives and policies in the District Plan are ~~to be read and achieved in a manner~~ consistent with the strategic objectives. <u>No fixed hierarchy exists between the strategic objectives or between the strategic objectives and the other objectives and policies in the District Plan.</u>

3.2.5 The Panel agrees with the concerns of Ainsley McLeod, as set out in her evidence, that if a hierarchy exists, the strategic objectives may 'trump' objectives in other parts of the Plan in future planning processes. Matt Heale, in his supplementary evidence, acknowledged this concern and recommended changes to the PDP that the Panel accepts and adopts.

3.2.6 Submission S101.002 Transpower New Zealand Limited is accepted in part by:

(a) Amending Part 2 District Wide Matters to read:

1. The strategic objectives address key strategic and/or significant matters for the District and provide District-wide strategic considerations to guide decision making at a strategic level. ~~It is intended that all other objectives and policies in the District Plan are to be read and achieved in a manner consistent with the strategic objectives.~~

(b) Adding to the Urban Form and Development Overview:

<u>For the purpose of District Plan development, including plan changes, the strategic objectives in this chapter provide direction for more detailed provisions contained in the District Plan.</u>

<u>For the purpose of District Plan implementation, including the determination of resource consent applications and notices of requirements:</u>

<u>- The strategic objectives may provide guidance for related objectives and policies in other chapters; and</u>

<u>- The relevant objectives and policies of the District Plan, including strategic objectives in this chapter, are to be considered together and no hierarchy exists between then.</u>

Cross Boundary Issues

Submitter (S)	Decision Requested
S140.015 Robina Johnston	Good communication is key to cross boundary issues, expresses concern about disconnection between wards and communities.

3.2.7 The Panel agrees that good communication is key to cross boundary issues and this occurs at both a political and staff level between the Council and adjoining authorities including regional councils. This is assisted by providing where practical for

consistency between adjoining councils in their plans and other regulatory documents and by adopting joint RMA processes. It is the view of the Panel that all of these potential "tools" are provided for in the PDP and no additional action is required. Accordingly, the submission is acknowledged, but as no amendment is being made to the Plan, submission S140.015 Robina Johnston is rejected.

Submitter (S)	Decision Requested
S101.003 Transpower New Zealand Limited	Retain "Water and Infrastructure systems - Including the National Grid" in the list of cross-boundary issues as notified. Transpower generally supports the description of cross-boundary matters. Cross-boundary matters are particularly relevant to Transpower given the linear and extensive nature of the National Grid

3.2.8 Transpower supports the provision. As the provision is not being amended, submission S101.003 Transpower New Zealand Limited is acknowledged and accepted.

Relationship Between Spatial Layers

Submitter (S)	Decision Requested
S112.001 Waka Kotahi NZ Transport Agency	Retain the Relationship between spatial layers as the inclusion of the street categories from the One Network Framework (ONF) recognise the shared, integrated planning approaches between land use and transport and is therefore appropriate to be used with the Plan

3.2.9 The description of the spatial layers is supported by NZTA. As the provision is not being amended, submission S112.001 Waka Kotahi NZ Transport Agency is acknowledged and accepted.

3.3 Interpretation

General

Submitter (S)	Decision Requested
S109.001 Department of Conservation	Retain section as notified
S112.002 Waka Kotahi NZ Transport Agency	Retain definitions as notified except for those commented on
S146.004 Southland District Council	Support - the Proposed District Plan has a good interpretation section.
S111.001 Aggregate and Quarry Association	Support the use of NPS definitions
S115.012 Kevin Robertson S126.011 Southland Federated Farmers of NZ S143.023 Rural Ratepayers Group S148.024 Alistair & Bernadette Hunt S60.014 Ronald Crispin S68.132 John Baynes	Retain definition of Building
S124.002 Fire and Emergency NZ	Retain definition of Emergency Management
S124.003 Fire and Emergency NZ S147.005 New Zealand Defence Force	Retain definition of Emergency Services Facility
S109.013 Department of Conservation	Retain definition of Environment
S109.014 Department of Conservation S115.042 Kevin Robertson S126.041 Southland Federated Farmers of NZ S143.053 Rural Ratepayers Group S148.054 Alistair & Bernadette Hunt S60.044 Ronald Crispin S68.162 John Baynes	Retain Definition of River

3.3.1 These submissions support various definitions with no specific changes requested. No other submitter has opposed the provisions and they are being retained unchanged. Accordingly, these submissions are acknowledged and accepted.

Definitions Nesting Tables

Submitter (S)	Decision Requested
S40.003 Silver Fern Farms	Nesting tables are helpful to assist Plan users to understand the scope of rules. Council may wish to include a description of how to use the nesting tables in the "How The Plan Works" chapter.

3.3.2 The Panel agrees with the advice of Matt Heale at paragraph 218 of his s42A Report that clarification of the explanation is desirable and notes the acceptance of Silver Fern Farms of the recommended change.

3.3.3 Submission S40.003 Silver Fern Farms is accepted by amending in the Interpretation chapter the explanation of Definitions Nesting Tables to read:

Relationship Between Definitions ~~Nesting Tables~~

Activities are listed with the more general above and the more specific below. For example, under commercial activities, retail activities is the more specific activity. There may also be additional subcategories under the specific activities that are not listed ~~Those more specific components may also include more specific activities that are not listed~~, for example "yard based retail activity" is a subcategory of "retail activity" and is not listed. Where an activity table for an overlay, zone, District-wide or precinct lists a general activity, that general activity includes all of the specific activities listed below unless otherwise specified.

Submitter (S)	Decision Requested
S115.003 Kevin Robertson S126.002 Southland Federated Farmers of NZ S143.014 Rural Ratepayers Group S148.015 Alistair & Bernadette Hunt S60.005 Ronald Crispin S68.123 John Baynes	Retain definition of Abrasive Blasting

3.3.4 The support of the submitters for the definition of Abrasive Blasting in the Interpretation section is noted. However, the term is not used in the Plan and as a consequence should be deleted. That can be done as a minor change under Clause 16(2) with also consequential deletion of the terms "dry abrasive blasting" and "wet abrasive blasting". Accordingly, these submissions seeking retention of the definitions are rejected.

Ecological Corridor

Submitter (S) Further Submitter (FS)	Decision Requested
S110.003 Royal Forest and Bird Society of NZ Inc	Add: Ecological Corridor: a functional zone of passage between several natural zones for a group of species dependent on a single environment. This corridor therefore connects different populations and favours the spread and migration of species, as well as the re-colonisation of environments that have been disturbed. Also sometimes called a wildlife corridor, habitat corridor, or green corridor.

3.3.7 The Panel notes that in the PDP as notified ecological corridors are referred to in policies EOC-P7 and ECO-P10 and that Forest and Bird has sought the inclusion of provisions referring to ecological corridors in all of the District Plan zones and these are assessed in Decision 2.

3.3.8 The Panel is not aware of any work that has been undertaken within the Gore District identifying ecological corridors. Given the development of much of the District for pastoral farming, the Panel considers it more likely that there are island refuges used by wildlife rather than corridors. Even along rivers there is no actual continuous link that could considered as a corridor. In the circumstances the Panel does not agree that a definition is required, and even if it did, the definition sought does not appear fit

for purpose within the Gore setting. The Panel does not accept, for example, that an ecological corridor would be necessary for species dependent on a single environment. Accordingly, submission S110.003 Royal Forest and Bird Society of NZ Inc is rejected.

Reverse Sensitivity

Submitter (S)	Decision Requested
S121.014 Alliance Group Limited S101.010 Transpower NZ Ltd S154.007 Spark NZ Trading Ltd S32.007 One NZ Group Ltd S33.007 FortySouth S35.007 Chorus NZ Ltd S37.007 Connexa Ltd S40.011 Silver Fern Farms	Retain definition of Reverse Sensitivity as notified

3.3.9 The submissions in support are acknowledged. Given changes made below to the definition, these submissions are accepted in part.

Submitter (S) Further Submitter (FS)	Decision Requested
S115.041 Kevin Robertson S126.040 Southland Federated Farmers of NZ S143.052 Rural Ratepayers Group S148.053 Alistair & Bernadette Hunt S60.043 Ronald Crispin S68.161 John Baynes	Amend definition and make any necessary consequential amendments: The potential for a lawfully established ~~an approved (whether by consent or designation), existing or permitted~~ activity to be compromised, constrained, or curtailed by the more recent establishment or alteration of another activity which may be sensitive to the actual, potential or perceived adverse environmental effects generated by an approved, existing or permitted activity.
S112.007 Waka Kotahi NZ Transport Agency	Amend the definition as follows: The potential for an approved (whether by resource consent, or designation or certificate of compliance), existing or permitted activity to be compromised, constrained, or curtailed by the more recent establishment or alteration of another activity which may be sensitive to the actual, potential or perceived adverse environmental effects generated by an approved, existing or permitted activity.
S95.007 PowerNet Limited	Amended definition as follows:" ...or curtailed by the possible establishment or alteration of another activity ...".
FS28.005 Kainga Ora	Reject S95.007 PowerNet Limited the 'possible' establishment or alteration of an activity is far too vague. Making what could be managed by 'reverse sensitivity' provisions far too restrictive
S132.011 KiwiRail Holdings Ltd	Amend as follows: Reverse Sensitivity means the potential for the development, upgrading, operation and maintenance of an approved (whether by consent, compliance certificate or designation), existing or permitted activity to be compromised, constrained, or curtailed by the more recent establishment or alteration of another activity which may be sensitive to the actual, potential or perceived adverse environmental effects generated by an approved, existing or permitted activity.
FS28.004 Kainga Ora	Reject S132.011 KiwiRail Holdings Ltd. *Kāinga Ora consider that the development and upgrading of an activity (such as rail, highways or industrial activities) should look to mitigate effects at source.*

3.3.10 The wording of the text defining “reverse sensitivity” and its use throughout the PDP was subject of evidence and submissions from Federated Farmers and Transpower, together with discussion by way of responses to questions asked by the Panel.

3.3.11 Matt Heale at paragraphs 259 – 263 of his s42A Report referred to the definition used by the Selwyn District Plan and taking into account the submissions lodged recommended a revision to that in the PDP. His recommendation included the wording sought by Federated Farmers but went further. Federated Farmers considered the additional wording created confusion in seeking to explain what is an "approved activity". Ainsley McLeod on behalf of Transpower in her written evidence supported the recommended change, but in response to questions agreed further amendment was needed. Various rewordings were discussed with both submitters and Matt Heale.

3.3.12 Matt Heale in his Right of Reply recommended a wording that the Panel has adopted, as the Panel considers this encapsulated the various viewpoints and suggestions put forward at the hearing.

3.3.11 Submissions S115.041 Kevin Robertson and others, S112.007 Waka Kotahi NZ Transport Agency, S95.007 PowerNet Limited and S132.011 KiwiRail Holdings Ltd are accepted in part by amending the definition of Reverse Sensitivity to read:

The potential for an existing approved (~~whether~~ including by resource consent, certificate of compliance or designation), or lawfully established activity ~~existing~~ or permitted activity to be compromised, constrained, or curtailed by the more recent establishment or *alteration* of another activity which may be sensitive to the actual, potential or perceived adverse environmental *effects* generated by an existing approved, or lawfully established activity ~~existing~~ or permitted activity.

New Definition Sought

Submitter (S)	Decision Requested
S126.051 Southland Federated Farmers of NZ S115.052 Kevin Robertson S60.054 Ronald Crispin S143.063 Rural Ratepayers Group S148.064 Alistair & Bernadette Hunt S68.172 John Baynes	Include new definition for waste and make any consequential amendments: Waste (a) means anything disposed of or discarded; and (b) includes a type of waste that is defined by its composition or source (for example, organic waste, electronic waste, or construction and demolition waste); and (c) to avoid doubt, includes any component or element of diverted material, if the component or element is disposed of or discarded.

3.3.6 The Panel agrees with the advice of Matt Heale at paragraph 255 of his s42A Report to accept these submissions by including the following definition:

Waste means:
(a) anything disposed of or discarded;
(b) includes a type of waste that is defined by its composition or source (for example, organic waste, electronic waste, or construction and demolition waste); and
(c) to avoid doubt, includes any component or element of diverted material, if the component or element is disposed of or discarded.

3.4 National Directions

Submitter (S) Further Submitter (FS)	Decision Requested
S146.007 Southland District Council S154.055 Spark NZ Trading Ltd S32.055 One NZ Group Ltd S33.055 FortySouth S35.055 Chorus NZ Ltd S37.055 Connexa Limited	Retain this section
FS21.007, FS21.004, FS21.005, FS21.003, FS21.006 Yrless Ltd	Accept S146.007 Southland District Council, S154.055 Spark NZ Trading Ltd, S32.055 One NZ

	Group Ltd, S33.055 FortySouth, S35.055 Chorus NZ Ltd, S37.055 Connexa Limited

3.4.1 These submissions support this section of the PDP. No specific changes are requested. As the section is being retained unchanged these submissions are acknowledged and accepted.

3.5 Maps General

Submitter (S)	Decision Requested
S146.106 Southland District Council	The submitter supports the mapping. Requests to add a feature that zooms to a feature by clicking on the feature in the legend..

3.5.1 The support for the mapping is acknowledged. While best available technology is being utilised in providing interactive electronic mapping, what is being requested in this submission is not practically achievable at this time. As a consequence, submission S146.106 Southland District Council is rejected. However, the Panel notes that the Planning Maps have a number of layers that can be turned off and on. As a consequence, if a plan user wishes to view, for example, all heritage sites, then all other layers can be hidden. The Panel anticipates that will achieve the outcome sought by the submitter.